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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MICHAEL J. WELLS,

Plaintiff,

v.

LINDA McMAHON, in her official capacity  
as the Administrator of the U.S. SMALL  
BUSINESS ADMINISTRATION, *et al.*,

Defendants.

Case No. 3:18-cv-00297-LRH-VPC

*ORDER*

**STIPULATION FOR EXTENSION OF  
TIME TO RESPOND TO COMPLAINT**

**(First Request)**

Plaintiff Michael J. Wells ("Plaintiff") and Defendant Linda McMahon, in her capacity as Administrator of the United States Small Business Administration ("Defendant"), by and through their undersigned counsel, hereby stipulate and agree that Defendant may have up to and including **October 26, 2018** to respond to Plaintiff's complaint.

1. Defendant's response is currently due on August 15, 2018.<sup>1</sup> Additional time is needed, however, because agency counsel recently has been out of the office and defense counsel is scheduled to be out of the office for more than two weeks in August and September.

2. An extension would allow Defendant to meaningfully evaluate the allegations of the complaint so as to prepare her response. Plaintiff's counsel has advised that, due to a full trial schedule, he too would prefer that the time for Defendant to respond be extended.

<sup>1</sup> It is Defendant's position that she has not been properly served. By agreeing to this stipulation, Defendant does not waive insufficiency of service of process as a defense.

3. This is Defendant's first request for an extension.

4. This request is made in good faith and not for the purpose of undue delay.

Accordingly, it is hereby proposed, and requested, that the time within which to file a response to the complaint be extended to **October 26, 2018**.

Respectfully submitted this 15th day of August 2018.

ERICKSON, THORPE &  
SWAINSTON, LTD.

/s/ John C. Boyden  
JOHN C. BOYDEN, Esq.  
PAUL M. BERTONE, Esq.

*Attorneys for Plaintiff Michael J. Wells*

DAYLE ELIESON  
United States Attorney

/s/ Holly A. Vance  
HOLLY A. VANCE  
Assistant United States Attorney

*Attorneys for Defendant McMahon*

IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: 8/28/2018

### CERTIFICATE OF SERVICE

I hereby certify that the foregoing **STIPULATION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT** was served this date on all parties via the Court's Electronic Case Filing system.

Dated this 15th day of August 2018.

/s/ Holly A. Vance  
HOLLY A. VANCE  
Assistant United States Attorney